

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MICHAEL DANIEL MITCHELL,

Plaintiff,

Case No. 1:04cv135

v.

Hon. Gordon J. Quist

PAUL RENICO,

Defendants.

ORDER AND JUDGMENT
APPROVING REPORT AND RECOMMENDATION

The court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties on November 13, 2006. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

THEREFORE, IT IS ORDERED that the Report and Recommendation of the Magistrate Judge, filed November 13, 2006, is approved and adopted as the opinion of the court.

IT IS FURTHER ORDERED that the Petitioner's habeas petition is **DENIED**. Rule 8, Rules Governing § 2254 Cases in the United States District Courts.

/s/Gordon J. Quist
Hon. Gordon J. Quist
U.S. District Judge

Dated: November 28, 2006